

FORM PTO-1390  
(REV 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

TJK/137

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

09/701589

INTERNATIONAL APPLICATION NO.

PCT/MX98/00020

INTERNATIONAL FILING DATE

29 May 1998

PRIORITY DATE CLAIMED

TITLE OF INVENTION PROCESS FOR OBTAINING TRANSGENIC PLANTS WHICH HAVE AN IMPROVED  
CAPACITY FOR THE UPTAKE OF NUTRIENTS AND TOLERANCE TO TOXIC COMPOUNDS WHICH ARE PRESENT  
APPLICANT(S) FOR DO/EO/US IN THE SOIL.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 16 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☒ ~~Exchange of~~ power of attorney and/or address letter.
16. ☒ Other items or information:  
Copy of the Request  
Copy of the Search Report  
Copy of PCT/IB/308  
Certificate of Express Mail No. EL304146582US  
Check for \$1,489.00

U.S. APPLICATION NO. (if known) **09/7015**INTERNATIONAL APPLICATION NO.  
PCT/MX98/00020ATTORNEY'S DOCKET NUMBER  
TJK/13717. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... **\$1000.00**

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO. .... **\$860.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... **\$710.00**

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$690.00**

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00**

**ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS PTO USE ONLY**

\$ 710.00

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	146 - 20 =	126	X \$18.00
Independent claims	a - 3 =		X \$80.00

\$2,268.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00

\$

**TOTAL OF ABOVE CALCULATIONS =**

\$2,978.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

\$

1,489.00

**SUBTOTAL =**

\$1,489.00

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$1,489.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property

\$

**TOTAL FEES ENCLOSED =**

\$1,489.00

Amount to be  
refunded:

\$

charged:

\$

a. ☒ A check in the amount of **\$1,489.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. **23-2126**. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Timothy J. Keefer  
WILDMAN, HARROLD, ALLEN & DIXON  
225 West Wacker Drive  
Chicago, Illinois 60606  
United States of America

SIGNATURE:

Timothy J. Keefer

NAME

35,567

REGISTRATION NUMBER

**CERTIFICATE OF EXPRESS MAILING**

09/701589  
529 Rec'd PCT/PTC 29 NOV 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service by Express Mail No. EL304146582US in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on 11/29/00.

Date: 11/29/00

Signed: Mindy Fitch